

REMARKS

Claims 1-22 are pending in the application and stand rejected.

Claims 1-3, 5, 8-10, 12, 15, 17-18 and 20-22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,826,025 to Gramlich ("Gramlich"), for the reasons set forth on pages 4-7 of the Office Action. Applicants respectfully traverse the rejections. In particular, at the very minimum, Applicants respectfully submit that Gramlich is legally deficient to establish a *prima facie* case of obviousness against claims 1, 8, 15, 21 and 22.

Claims 1, 8, 15, 21 and 22 are generally directed to systems and methods for constructing objects. The claimed inventions include *determining an order* for constructing objects based on *inclusion relationships* between an object and a fragment or inclusion relationships between a plurality of fragments. An object is then constructed using one or more fragments based on the *inclusion relationships* and the *determined order*.

Applicants respectfully disagree with Examiner's interpretation of "annotation overlays" of Gramlich as teaching or suggesting "*fragments*" as currently claimed.

Applicants' specification defines a "*fragment*" as being "an object which is used to construct a compound object" (wherein a compound object is an object that is constructed from one or more fragments) (see, e.g., page 6, lines 14-19).

Examiner contends that "a fragment (within the possible context of document) can be fairly interpreted as any portion of any document." Applicants respectfully disagree with this conclusion. As set forth in the MPEP, during examination, pending claims must be given

their broadest *reasonable* interpretation consistent with the specification. Claims must not be read in a vacuum, but the limitations of a claim must be interpreted in light of the specification in giving such limitations their broadest possible interpretation (see MPEP 2111, 2111.01).

Here, it is respectfully submitted that Examiner's interpretation of the "annotation overlays" as taught by Gramlich as being "fragments" within the meaning of the claimed inventions is an unreasonable and unfair interpretation in light of Applicants' specification. Furthermore, Examiner's plain meaning interpretation of a "fragment" as being any "portion" of a document is overly broad and inconsistent with the teachings of Applicants specification. Indeed, Gramlich expressly teaches that "annotation overlays" are merely HTML files with directives that are used to modify the content of Web documents (i.e., deleting, inserting text). These "annotation overlays" are documents that are parsed and interpreted by an AOP (annotation overlay proxy) to modify the content of a Web document (see, e.g., Col. 8, lines 35-39). The annotation overlays comprise "information fields" that allow an AOP (114) to perform a transformation on a part of a published Web document, including action field (4) and arg (5) fields that define an action to be taken by the AOP (114) when modifying a pattern (3) (or part) of the document. (See, Col. 8, line 54 - Col. 9, line 33).

In other words, the annotation overlays of Gramlich are not fragments that are included in other objects, *per se*, based on inclusion relationships between objects and fragments, as essentially claimed in claims 1, 8, 15, 21 and 22. But rather, the "annotation overlays" are merely interpreted documents that are used to modify the content of a Web page. Based on the teachings of Applicants' specification, one of ordinary skill in the art

would not remotely consider an “annotation overlay” of Gramlich as a “fragment” or a component of an object or compound object.

Further, Applicants respectfully disagree with Examiner’s contention that the “independent claims do not associate a fragment with any object or with any document.” Claims 1, 8, 15, 21 and 22 essentially recite, *inter alia*, constructing a plurality of objects based on an inclusion relationship between an object and a fragment. In other words, inclusion relationships are essentially logically relationships that set forth what fragments or objects are included in (or “associated” with) an object that is to be constructed using such included objects and fragments (see, e.g., pages 7 and 8 of Applicants’ specification).

For at least the above reasons, claims 1, 8, 15, 21 and 22 are believed to be patentable and non-obvious over Gramlich. Further, claims 2-3, 5, 9-10, 12, 17-18 and 20 are believed to be patentable and non-obvious over Gramlich for at least the above reasons by virtue of the dependence of such claims from respective base claims 1, 8, 15, 21 and 22.

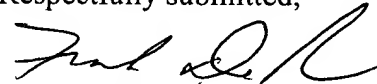
Further, claims 4 and 11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Gramlich in view of U.S. Patent No. 5,911,145 to Arora et al, claims 6, 13 and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Gramlich in view of U.S. Patent No. 6,144,962 to Weinberg, et al, claims 7 and 14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Gramlich in view of U.S. Patent No. 5,870,552 to Dozier, et al, and claim 16 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Gramlich in view of U.S. Patent No. 5,855,015 to Shoham.

The above claim rejections are based, in part, on the contention that Gramlich discloses or suggests the inventions of base claims 1, 8, 15, 21 and 22. However, the cited

combinations of references are believed to be legally deficient to establish a prima facie case of obvious because at the very minimum, as discussed above, Gramlich does not teach or suggest the elements of base claims 1, 8, 15, 21 and 22. For all the above reasons, the withdrawal of the rejections under 35 U.S.C. § 103(a) is respectfully requested.

Early and favorable consideration by the Examiner is respectfully urged. Should the Examiner believe that a telephone or personal interview may facilitate resolution of any remaining matters, it is requested that the Examiner contact Applicants' undersigned attorney.

Respectfully submitted,



Frank DeRosa

Reg. No. 43,584

Attorney for Applicants

F. Chau & Associates, LLP
1900 Hempstead Tnpk.
East Meadow, NY 11553
TEL.: (516) 357-0091
FAX: (516) 357-0092